



House of Representatives

General Assembly

File No. 405

February Session, 2008

House Bill No. 5811

House of Representatives, April 3, 2008

The Committee on Public Health reported through REP. SAYERS, P. of the 60th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THERAPEUTIC CONTACT LENSES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (f) of section 20-127 of the 2008 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2008*):

4 (f) No licensed optometrist authorized pursuant to this section to
5 practice advanced optometric care shall dispense controlled substances
6 under schedules II, III, IV and V or under section 21a-252, to any
7 person unless no charge is imposed for such substances and the
8 quantity dispensed does not exceed a seventy-two-hour supply, except
9 (1) if the minimum available quantity for [said] such agent is greater
10 than a seventy-two-hour supply, the optometrist may dispense the
11 minimum available quantity; and (2) for contact lenses, prescribed
12 pursuant to this section, that provide vision correction and contain a
13 therapeutic drug agent approved by the federal Food and Drug
14 Administration.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2008</i>	20-127(f)
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PH *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 5811*****AN ACT CONCERNING THERAPEUTIC CONTACT LENSES.*****SUMMARY:**

This bill permits advanced practice optometrists to dispense contact lenses containing a federal Food and Drug Administration-approved therapeutic drug agent that is a schedule II to V controlled substance. Current law permits advanced practice optometrists to dispense controlled substances, but they cannot (1) charge for them or (2) dispense more than a 72-hour supply, unless the minimum quantity available is greater, in which case they can dispense that minimum. Any licensed optometrist can dispense contact lenses. It is not clear under the bill whether an advanced practice optometrist could charge for dispensing contact lenses containing a controlled substance.

EFFECTIVE DATE: October 1, 2008

BACKGROUND***Advanced Practice Optometrists***

Advanced practice optometrists must successfully complete at least 75 classroom hours and 51 clinical hours of study in advanced optometric care at an accredited optometry or medical school and pass an examination administered by an accredited school. This training must include treatment of eye deficiencies, deformities, diseases, or abnormalities, including anterior segment disease, lacrimology (secretion and conduction of tears), and glaucoma. And they must meet the requirements to acquire and use ocular agents-D and to acquire, administer, dispense, and prescribe ocular agents-T (CGS § 20-127(d)).

Related Law

Most optometrists can dispense an ocular-T agent. (Those licensed before 1991 must take special training.) But they cannot charge for it or dispense more than a 72-hour supply unless the minimum quantity available is greater than that, in which case they can dispense that minimum amount. An ocular-T agent is a topically or orally administered agent used to treat or alleviate certain kinds of eye diseases or abnormal conditions. Topically administered agents exclude allergens, antifungals and antiparasitics, certain medications used in glaucoma treatment, and other agents (CGS § 20-127 (a) (5) and (f)).

Controlled Substances

Controlled substances are grouped in Schedules I through V, according to their decreasing tendency to promote abuse or dependency. Schedule I substances are the most strictly controlled because of their high potential for abuse. State and federal laws authorize prescribing drugs on Schedules II through V; most Schedule I drugs do not have any approved medical use.

COMMITTEE ACTION

Public Health Committee

Joint Favorable

Yea 30 Nay 0 (03/17/2008)